

Terminal Disclaimer
Serial No. 10/800,185
Filed: March 12, 2004

RECEIVED
CENTRAL FAX CENTER

SEP 12 2005

Rev 94-18 div 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Brieva, et al.

Serial No. 10/800,185

Filed: March 12, 2004

For: COSMETIC COMPOSITIONS

Examiner: George

Art Unit: 1616

X

April 11, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Mail Stop: Amendment


TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
(37 C.F.R. §1.321(c))

I, Julie Blackburn, state as follows:

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
on April 11, 2005.


Julie Blackburn

Terminal Disclaimer
Serial No. 10/800,185
Filed: March 12, 2004

1. That I am a representative authorized to sign on behalf of the assignee of this invention, as well as the attorney of record for this invention, and that my title is Senior Patent Counsel, Assistant Secretary, Revlon Consumer Products Corporation.
2. The assignee of this invention is: Revlon Consumer Products Corporation
237 Park Avenue
New York, New York 10017
3. The extent of the interest in this invention that the disclaimant owns is in the whole of this invention.
4. The above application was assigned to Revlon Consumer Products Corporation, and the assignment was recorded on Reel 7244 Frame 500-A.
5. The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 of U.S. Patent No. 5,965,112 is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to U.S. Patent No. 5,965,112 is enforceable, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of U.S. Patent No. 5,965,112 in the event that the latter: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.321, has all claims cancelled by a re-examination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

6. The Commissioner is hereby authorized to charge Deposit Account 18-1065 in the amount of \$130.00, which is the fee due for filing this Terminal Disclaimer. In addition, the Commissioner is hereby authorized to charge Deposit Account 18-1065 for any fee deficiency, which may be due.

Respectfully Submitted

Julie Blackburn
Attorney for Applicants
Reg. No. 32370
Revlon Consumer Products Corporation
237 Park Avenue
New York, New York 10017
(212) 527-5531